

Message Text

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ACTION ARA-14

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FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 8411

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E.O. 11652: N/A

TAGS: EINV, PN

SUBJ: BOSTON-PANAMA EXPROPRIATION CASE

REF: MILLAN/ARMSTRONG TELECON OF 8/9/78

1. LAWYER MOLINO HAS SUBMITTED AN INTERIM REPORT. AS DISCUSSED REFCON, HE ASKS WHETHER THE BOSTON-PANAMA COMPANY HAS CERTAIN ADDITIONAL DOCUMENTS, DESCRIBED HEREIN, WHICH HE BELIEVES NECESSARY FOR A PROPER REPORT. HE NOTES THAT HIS OWN EFFORTS TO OBTAIN THE RELEVANT DOCUMENTS HAVE BEEN "UNFRUITFUL". WE PLAN TO TALK TO MOLINO AGAIN SOON, AFTER DEPARTMENT HAS HEARD FROM B-P LAWYER HELLER AS TO CHANCES OF THEIR HAVING THE DOCUMENTS, TO SEE JUST WHAT THESE EFFORTS HAVE CONSISTED OF AND WHAT PROSPECTS ARE FOR GETTING ANY FURTHER DOCUMENTATION DOWN HERE.

2. TEXT OF MOLINO'S REPORT BY POUCH. WE RECOMMEND DEPARTMENT HAVE PROFESSIONAL TRANSLATION DONE. INFORMAL TRANSLATION FOLLOWS:

"AS MY PERSONAL EFFORTS HAVE BEEN UNFRUITFUL UP TO NOW IN LOCATING THE FIRST ACTION (OR ORDER) IN THE CASE OF THE AFORESAID COMPANY AND THE ORDERS OF THE JUDGES FOR THE COLLECTION OF THE TAX ON UNCULTIVATED LANDS AND FOR LIMITED OFFICIAL USE

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THE COLLECTION OF THE REAL ESTATE TAX, WHICH WAS THE FINAL STAGE (AND) WITH WHICH CULMINATED THE SALE AT AUCTION OF THE ESTATE OF THE COMPANY, I WOULD LIKE TO KNOW IF THE COMPANY HAS THE OTHER DOCUMENTS THAT WE NEED IN ORDER THUS TO BE ABLE TO HAVE THE NECESSARY BASE UPON WHICH TO FOUND THE INITIAL AND THE FINAL PARTS OF THE INQUIRY.

"IN (OR CONCERNING) THE FIRST PART, I DO NOT HAVE ANY

DOCUMENTATION REFERRING TO THE FIRST STEP OF THE DENOUN-
CER, LAWYER BENEDITTI. THE FIRST RESOLUTION NO. 51-37
A.G., DATED 3 FEBRUARY 1951, REVEALS THAT FROM MARCH 9,
1937, A JUDICIAL EDICT HAD BEEN IN EFFECT OF THE
ADMINISTRATOR GENERAL OF INTERNAL TAXES IN VERAGUAS
(PROVINCE) DECREETING THE ATTACHMENT OF THE ESTATE (FINCA)
NO. 135 FOR NOT HAVING PAID THE UNCULTIVATED LAND TAX.
AND IF IT IS CERTAIN THAT THE COMPANY TOOK (OR PAID) OFF
THE TAXES FROM THE FIRST DENOUNCEMENT, IT IS INEXPLICABLE
THAT IN THE SUBSEQUENT RESOLUTIONS (THEY) APPEAR COLLECT-
ING (OR DEMANDING COLLECTION OF) THE AFORESAID TAX FROM
1925.

"IN THE FINAL STAGE, AFTER THE DOCUMENTATION
RELATIVE TO THE RESOLUTION NO. 56 OF MARCH 18, 1963, WE
HAVE THE COPIES OF THE BOLD (ADELANTADAS) ACTIONS OF THE
RESPONSIBLE OFFICIALS OF THE COMPANIES (SIC), BUT NOT SO
THE COURSE FOLLOWED BY THE ADMINISTRATION (OF THE COM-
PANY?) UNTIL THE MOMENT OF THE SALE AT AUCTION OF THE
ESTATE UNDER JUDGMENT OF THE COMPETENT JURISDICTION.

"AS YOU CAN APPRECIATE, THIS DOCUMENTATION THAT I
HAVE POINTED OUT IS VERY IMPORTANT FOR US; FOR WHICH
REASON WE PREFER TO WAIT TO OBTAIN IT BEFORE RENDERING
OUR REPORT. IF IT WERE NOT POSSIBLE TO OBTAIN IT,
THEN WE WOULD HAVE TO DO IT SOLELY UPON THE FACTS WHICH
WE HAVE NOW, AND WHICH WE CONSIDER TO BE NOT COMPLETE."

JORDEN

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NNN

Message Attributes

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